

REMARKS

Claims 1, 4, 6, and 9 are pending in the application, and have been amended hereby. Claims 5 and 10 have been cancelled, without prejudice or disclaimer. Claims 1 and 6 are in independent form. Favorable reconsideration is requested.

Reconsideration is respectfully requested of the rejection of Claims 1 and 6 under 35 U.S.C. §103(a), as being obvious over U.S. Patent Publication No. 2003/0179747 ("Pyke") in view of U.S. Patent No. 6,262,979 ("Anderson"); of the rejection of Claims 4 and 9, as being obvious over Pyke in view of Anderson and U.S. Patent No. 6,839,323 ("Foti"); and of the rejection of Claims 5 and 10, as being obvious over Pyke in view of Anderson and U.S. Patent No. 6,563,797 ("Kung").

Claims 5 and 10 have been cancelled, thereby rendering the rejection thereof moot.

According to amended independent Claims 1 and 6, it is determined whether or not the received frame is to be monitored based on a destination address in header information of a received frame, and when the received frame is found to be monitored a single dual-purpose normally-transferred and monitored frame (e.g. FR1 in Fig. 4) including the destination address and the in-device information is generated and multicast (MC), thereby generating two frames (FR4, FR3), one of which is edited for a monitored frame having unique in-device information without the destination address (FR6) and the other of which is edited for a normally-transferred frame (FR5) including the destination address without the in-device information, so that a path is established corresponding to each of the generated two frames, whereby the two frames generated after multicast can be individually edited.

It is respectfully submitted that Pike and Anderson, alone or in combination, fail to teach or suggest the aforementioned features of amended Independent Claims 1 and 6.

Pyke at best discloses a system for intercepting information such as voice over an IP or ATM network; and Anderson at best discloses a system for preventing collisions over Ethernet in a voice information packetizing apparatus which carries voice data on a network for a data system, not monitoring data.

Specifically, Pyke (0031) discloses copying but fails to teach or suggest generating a single dual-purpose normally-transferred and monitored frame including the destination address and the in-device information when the received frame is found to be monitored based on a destination address in header information of the received frame.

Anderson discloses transmitting two packets one of which is for law enforcement agency gateway and the other one is for an associate, which is a different destination, however Anderson fails to teach or suggest multicasting to generate two frames, one of which is edited for a monitored frame having unique in-device information without the destination address and the other of which is edited for a normally-transferred frame including the destination address without the in-device information.

Foti and Kung fail to cure the deficiencies of Pyke and Anderson

Accordingly, it is respectfully submitted that amended independent Claims 1 and 6, and the claims depending therefrom, are patentably distinct over the cited references, alone or in any possible combination.

In view of the amendments and remarks set forth above, this application is believed to be in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is

respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

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